



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2403303
Applicant Name: Detlev Kroll
Address of Proposal: 2105 North 122nd Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into 2 parcels of land. Proposed parcel sizes are: A) 8,577 square feet and B) 6,480 square feet. Existing single family residence to remain. Existing garage to be removed.

The following approval is required:

Short Subdivision - To create two parcels of land.
(SMC Chapter 23.24)

BACKGROUND DATA

Zoning: SF 7200
Date of Site Visit: n/a
Uses on Site: single family residence

Substantive Site Characteristics: Corner property along arterials Meridian Avenue North and North 122nd Street, across the street to the south on the latter street from the homes along Haller Lake. The surrounding zoning is Single Family, and almost all properties are developed with single family residences. A few appear to be on large lots that might also be short platted.

Public Comment

None were received during the comment period that ended on 23 June 2003. However, two people did call to discuss the project, one concerned about the project's claiming the small area to the east of the existing fence on the east side of the property, and further concerned about impacts on trees on the property to the east (his property). The other caller simply requested information regarding setbacks and access.

ANALYSIS – SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following applicable facts and conditions are found to exist.

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees.*

Summary

Based on information provided by the applicant, referral comments as appropriate from DPD, Water (SPU), Fire Departments (SFD), Seattle City Light, and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. Conditions include providing a no protest agreement for potential future improvement of adjacent streets, legally establishing parking and access on/for Parcel A, and removing the structure and closing the curbcut on Parcel B (or securing permits to re-use them in association with a new house on Parcel B). When these conditions are met, the lots to be created will meet all minimum standards or applicable exceptions as set forth in the Land Use Code and other applicable codes, and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal site is not located in a mapped environmentally critical area nor were any environmentally critical areas observed on site; therefore SMC 25.09.240 is not applicable. The proposed plat maximizes the retention of existing trees. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**. Applicant must meet all standard recording requirements and conditions and/or requirements as attached to approval cover letter. (Please do not show conditions of approval prior to recording on the plat to be recorded.)

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Comply with all applicable standard recording requirements and instructions.

Prior to separation of ownership and/or issuance of any permit to construct on Parcel B:

The owner(s) and/or responsible party(s) shall:

2. Provide a copy of a finalized permit legally establishing parking on Parcel A.
3. Provide a copy of finalized permit(s):
A Legally closing the existing curbcut and legally removing the existing structure on Parcel B,
OR
B. Legally re-establishing use of the curbcut and/or garage structure in association with
construction of a new house on Parcel B.

Prior to Issuance of any Building Permit on either lot

4. The owner(s) and/or responsible party(s) shall attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to construct, demolish, or change use.

NON-APPEALABLE ZONING REQUIREMENTS (TO BE SATISFIED PRIOR TO RECORDING)

The owner(s) and/or responsible party(s) shall:

- A. Provide a no protest agreement addressing potential future improvement of Meridian Avenue North and North 122nd Street.

Signature: (signature on file) Date: July 5, 2004
Paul M. Janos, Land Use Planner
Department of Planning and Development
Land Use Services